

# State of South Dakota

EIGHTY-SIXTH SESSION  
LEGISLATIVE ASSEMBLY, 2011

682S0558

## HOUSE JUDICIARY ENGROSSED NO. **HB 1145** - 2/9/2011

Introduced by: Representatives Hunt, Boomgarden, Gibson, Nelson (Stace), Rausch, and  
Turbiville and Senators Rave, Hunhoff (Jean), Schlekeway, Tieszen, and  
Vehle

1 FOR AN ACT ENTITLED, An Act to provide for the identification of the law applicable to  
2 certain claims for damages.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That chapter 21-3 be amended by adding thereto a NEW SECTION to read as  
5 follows:

6 In any action arising out of an injury to the person, the local law of the state where the injury  
7 occurs determines whether a claim for damages survives the death of the party sought to be held  
8 liable or of the injured person. For purposes of this section, the place where the injury occurs  
9 is the place where the forces causing the injury first result in actionable injury to the injured  
10 person.

